COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WATER

RECEIVED
APR 05 2010
BY

APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM AND / OR WATER QUALITY CERTIFICATION

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. *If the project involves work in a stream, such as bank stabilization, dredging or relocation, you will also need to obtain a 401 Water Quality Certification (WQC) from the Division of Water.* This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact the WQC section at 502/564-3410.

If the project will disturb one or more acres of land, or if the project is part of a larger common plan of development or sale that ultimately will disturb one or more acres, you will also need to complete a Notice of Intent for general permit coverage for storm water discharges associated with construction activities (NOI-SWCA). You may find the forms for Kentucky Pollution Discharge Elimination System (KPDES) at http://www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm or https://dep.gateway.ky.gov/eForms/default.aspx?FormID=7. Return forms to the Floodplain Management Section of the KDOW. This general permit will require you to create and implement an erosion control plan for the project.

1. **OWNER:** Luhn & Oak Construction, Inc. 20310A
   Give name of person(s), company, governmental unit, or other owner of proposed project.
   MAILING ADDRESS: P.O. Box 481
   Carrollton, KY 41008
   TELEPHONE #: 502-732-6321 **EMAIL:** skeeton@insightbb.com
2. **AGENT:** Tim Chilton ~ Garber-Chilton Engineers and Land Surveyors
   Give name of person(s) submitting application, if other than owner.
   ADDRESS: P.O. Box 425
   LaGrange, KY 40031
   TELEPHONE #: 502-222-9216 **EMAIL:** tkchilton@bellsouth.net
3. **ENGINEER:** David F. Garber **P.E. NUMBER:** 11,441
   Contact Division of Water if waiver can be granted.
   TELEPHONE #: 502-222-9216 **EMAIL:** dfgarber@bellsouth.net
4. **DESCRIPTION OF CONSTRUCTION:** SEE ATTACHED DESCRIPTION
   Describe the type and purpose of construction and describe stream/wetland impact
5. **COUNTY:** Carroll **NEAREST COMMUNITY:** Prestonsville
6. **USGS QUAD NAME** Carrollton, KY **LATITUDE/LONGITUDE:** N 38d 40m 15.3s W 85d 11m 22s
7. **STREAM NAME:** Kentucky River **WATERSHED SIZE (in acres):** 23,040
8. **LINEAR FEET OF STREAM IMPACTED AND/OR ACRES OF WETLAND IMPACT:** 700 feet +/-
9. **DIRECTIONS TO SITE:** SEE ATTACHED DIRECTIONS

10. **IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE?** ☐ Yes X No If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE: _____

11. **ESTIMATED BEGIN CONSTRUCTION DATE:** September 2010

12. **ESTIMATED END CONSTRUCTION DATE:** November 2010

13. **HAS AN APPLICATION BEEN SUBMITTED TO THE US ARMY, CORPS of ENGINEERS?** ☐ Yes ☐ No

14. **AN APPLICANT FOR A PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM MUST ADDRESS PUBLIC NOTICE:**

(a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:

__X__ Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit)

____ Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)

(b) ____ **I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:**

N/A

Contact Division of Water for requirements.

*** PUBLIC NOTICE FOR 401 WATER QUALITY CERTIFICATIONS IS GOVERNED BY 401 KAR 9:010**

15. **I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:**

Mitchell Perkins ~ Solid Waste & Flood Plain Manage Carroll County Kentucky

Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.

16. **LIST OF ATTACHMENTS:** Items 4 & 9 Descriptions, Vicinity Map, Plan View, Section thru Dry Dock, Section

List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

thru Barge Dock, Section, thru Pond #3, Section thru Pond #4, Section thru Pond #5, Section thru KY River at Mile Pt. 1, Public Notices, Site Photos, Quad Map, Letter from Flood Plain Administrator, Carroll Co Permit, Wetlands Report

17. **I,** SHANN KEATON **(owner) CERTIFY THAT THE OWNER OWNS OR HAS EASEMENT RIGHTS ON ALL PROPERTY ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood).**

18. **REMARKS:** There will be minimal to no impact on the local flood plain. There are no proposed structures planned for this site. All excavated and dredged materials will be used for fill in the existing ponds as shown on the plans. The existing ground elevations will not be altered by filling.

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE: _____

Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE: 3-25-10

SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR:

Mitchell Perkins

Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.

DATE: 3-25-10

SUBMIT APPLICATION AND ATTACHMENTS TO:

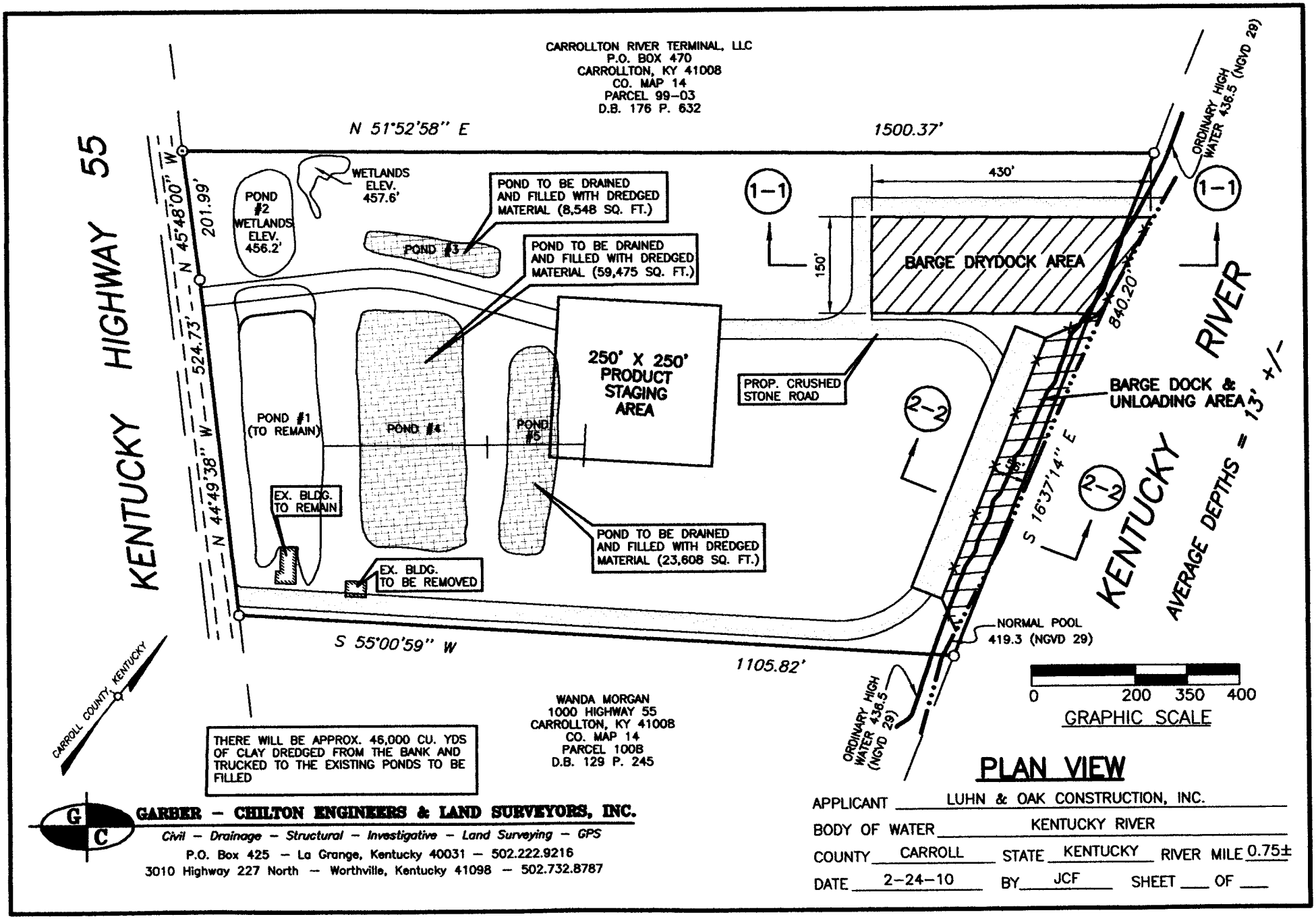
Floodplain Management Section
Division of Water
200 Fair Oaks Lane
Frankfort, KY 40601

Item 4. ~ Description of Construction

The proposed project for 895 Highway 55 in Carrollton Kentucky is going to encompass a barge unloading facility as well as a barge dry-dock facility. Both facilities will be constructed using long reach track hoe's and dump trucks. The barge unload facility will be approximately 540' long x 50' wide and an approximate depth of 13'. The unloading facility will be constructed by removing the existing bank to a width of 50'. Steel pilings will be used to hold the bank and will be reinforced with concrete dead-men and steel cable. All excavated material will be kept on site with the majority of the material being used to fill several existing ponds on the west side of the property, along Highway 55. No excavated material will be removed from the site, nor will any materials be discharged, and any excavated trees will be pelletized to be used at a later date or sold. A road will be constructed to the barge unload facility along an existing entrance. All roads will be constructed using compacted number 57 stone under compacted DGA. Non-hazardous barge materials will be offloaded and reloaded onto dump trucks to be hauled to local companies. The barge dry-dock facility will be approximately 400' long x 150' wide. The barge dry-dock will be constructed by removing the existing soil and brush and driving steel pilings to contain all soil. The steel pilings will be supported by concrete dead-men and steel cables. All materials excavated for the dry-dock facility will be kept on site with the soil being used to fill in the ponds located on the west side of the property, along Highway 55. None of the excavated material will be discharged. The dry-dock will feature steel pilings driven along the sides to contain any and all soils and will have compacted number 57 stone, compacted DGA and rip-rap stone. Steel pipes will be placed perpendicular to the river. Two (2) thirty ton winches will be used to pull barges up on the shore where they can be welded or otherwise repaired. The 30 ton winches will be mounted on concrete pads at an elevation above 100 year flood level. At this time no structures are planned for construction on any fills, piles or float supported platforms.

Item 9. ~ Directions to the Site:

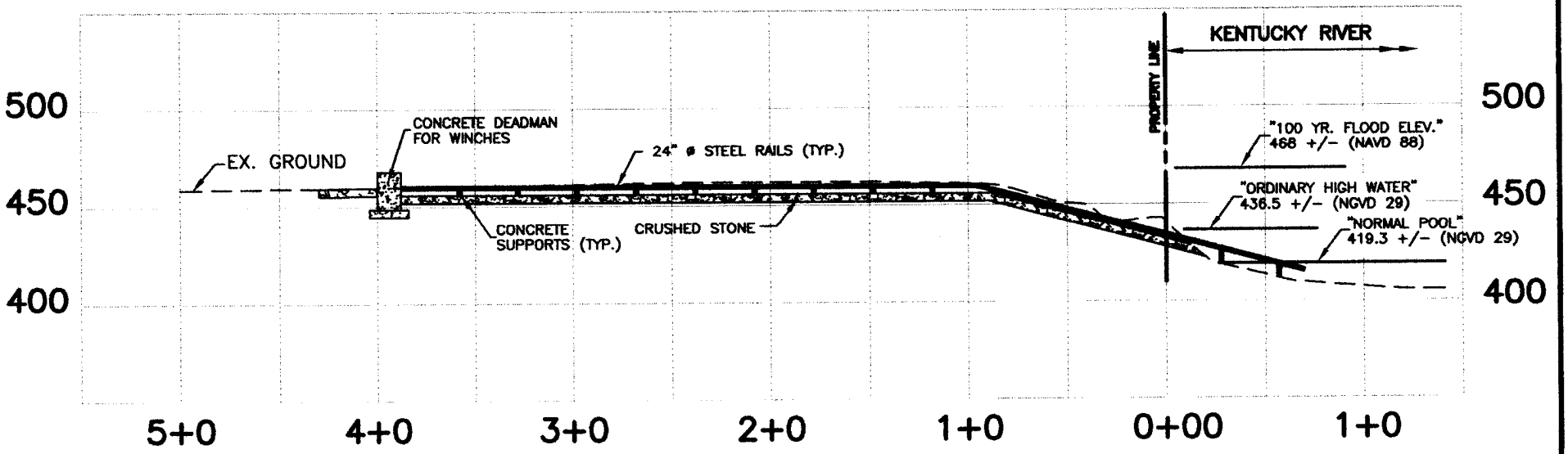
From the town square in the City of Carrollton, take U.S. Highway 55 west, cross over the Kentucky River, turn left onto Highway 55, travel approximately 0.8 mile the site will be on the east side of Highway 55.



PLAN VIEW

GARBER – CHILTON ENGINEERS & LAND SURVEYORS, INC.
Civil – Drainage – Structural – Investigative – Land Surveying – GPS
P.O. Box 425 – La Grange, Kentucky 40031 – 502.222.9216
3010 Highway 227 North – Worthville, Kentucky 41098 – 502.732.8787

APPLICANT LUHN & OAK CONSTRUCTION, INC.
BODY OF WATER KENTUCKY RIVER
COUNTY CARROLL STATE KENTUCKY RIVER MILE 0.75±
DATE 2-24-10 BY JCF SHEET ___ OF ___



SECTION 1–1 THRU DRYDOCK
LOOKING NORTH DOWN STREAM

SCALES: 1"=80' HOR. & VERT.

GARBER – CHILTON ENGINEERS & LAND SURVEYORS, INC.

Civil – Drainage – Structural – Investigative – Land Surveying – GPS

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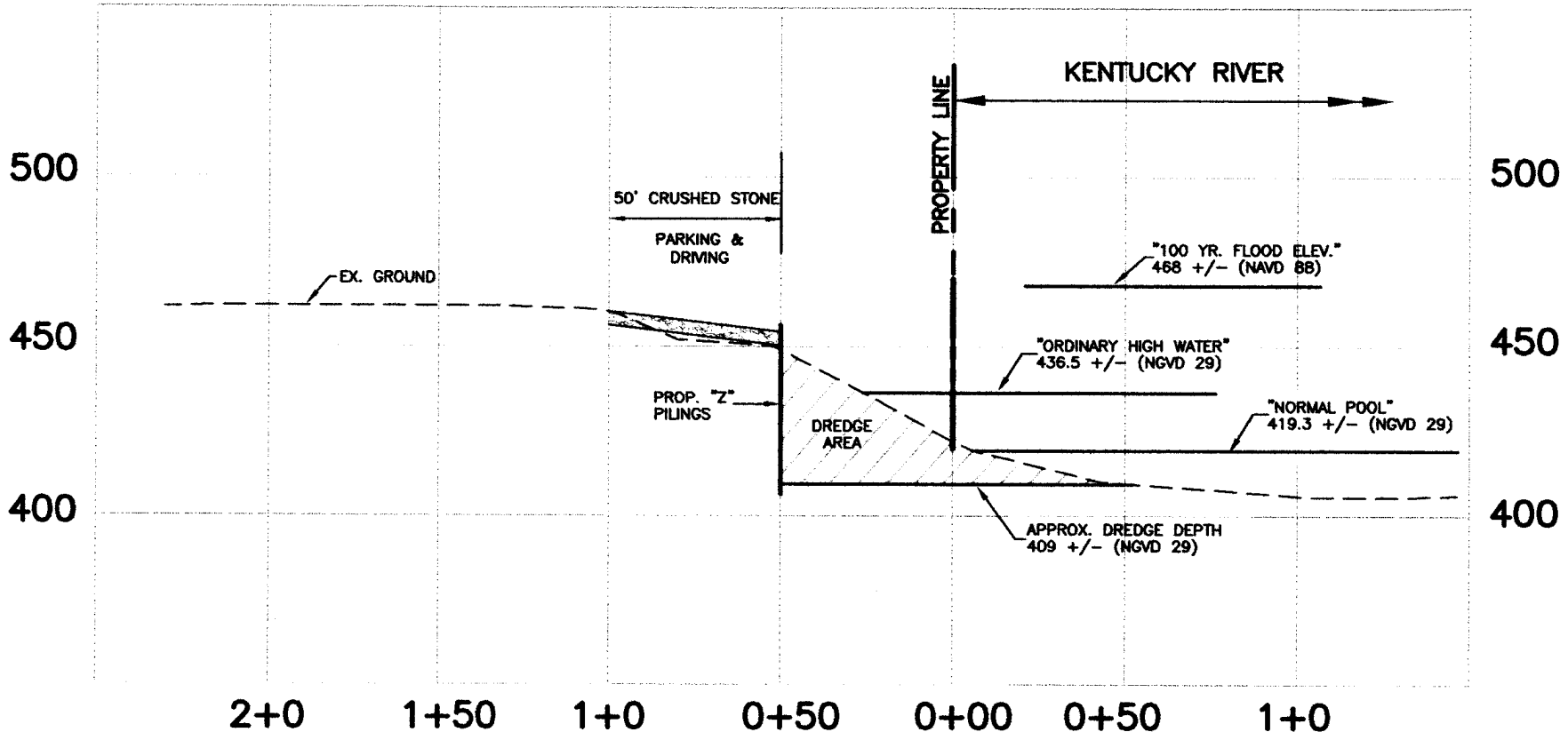
3010 Highway 227 North – Worthville, Kentucky 41098 – 502.732.8787

APPLICANT LUHN & OAK CONSTRUCTION, INC.

BODY OF WATER KENTUCKY RIVER

COUNTY CARROLL STATE KENTUCKY RIVER MILE 0.75±

DATE 2-25-10 BY JCF SHEET ___ OF ___



SECTION 2–2 THRU BARGE DOCK AND UNLOADING AREA LOOKING NORTH DOWN STREAM

SCALES: 1"=50' HOR. & VERT.

GARBER – CHILTON ENGINEERS & LAND SURVEYORS, INC.

Civil – Drainage – Structural – Investigative – Land Surveying – GPS

P.O. Box 425 – La Grange, Kentucky 40031 – 502.222.9216

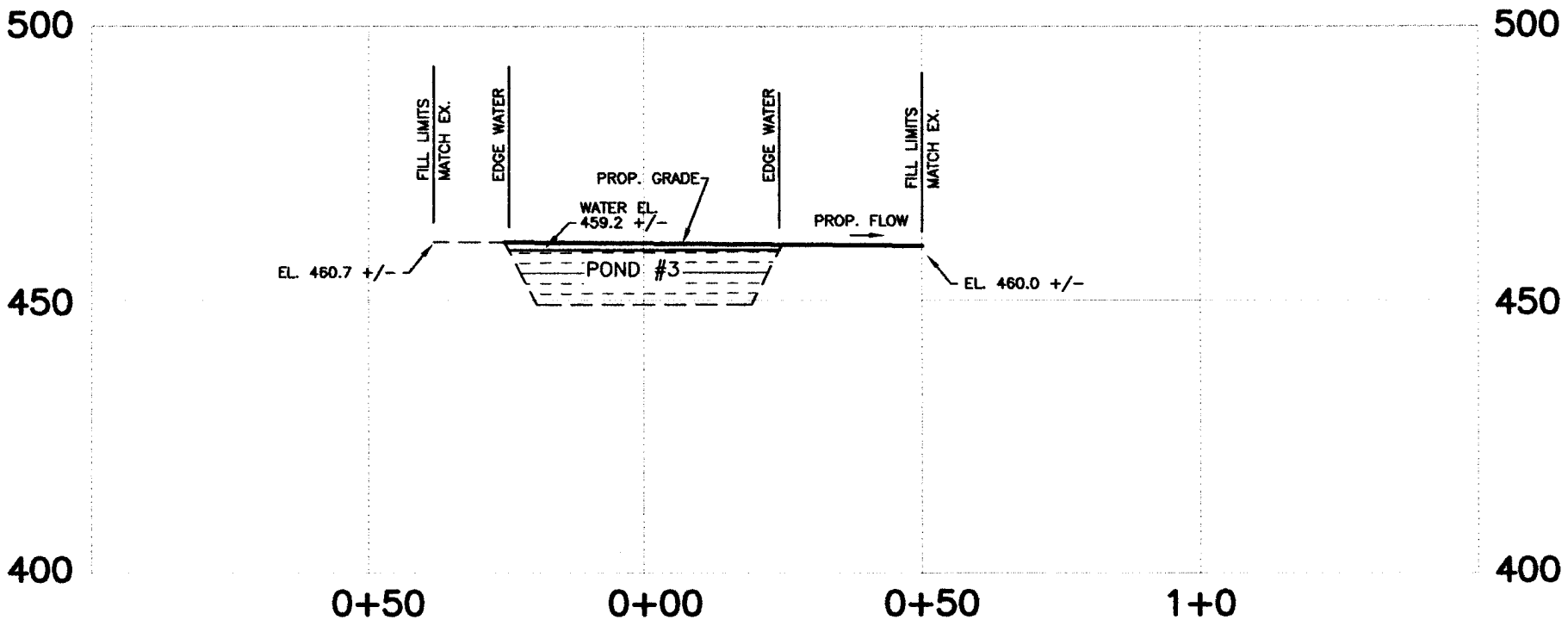
3010 Highway 227 North – Worthville, Kentucky 41098 – 502.732.8787

APPLICANT LUHN & OAK

BODY OF WATER KENTUCKY RIVER

COUNTY CARROLL STATE KENTUCKY RIVER MILE 0.75±

DATE 2–15–10 BY JCF SHEET ___ OF ___

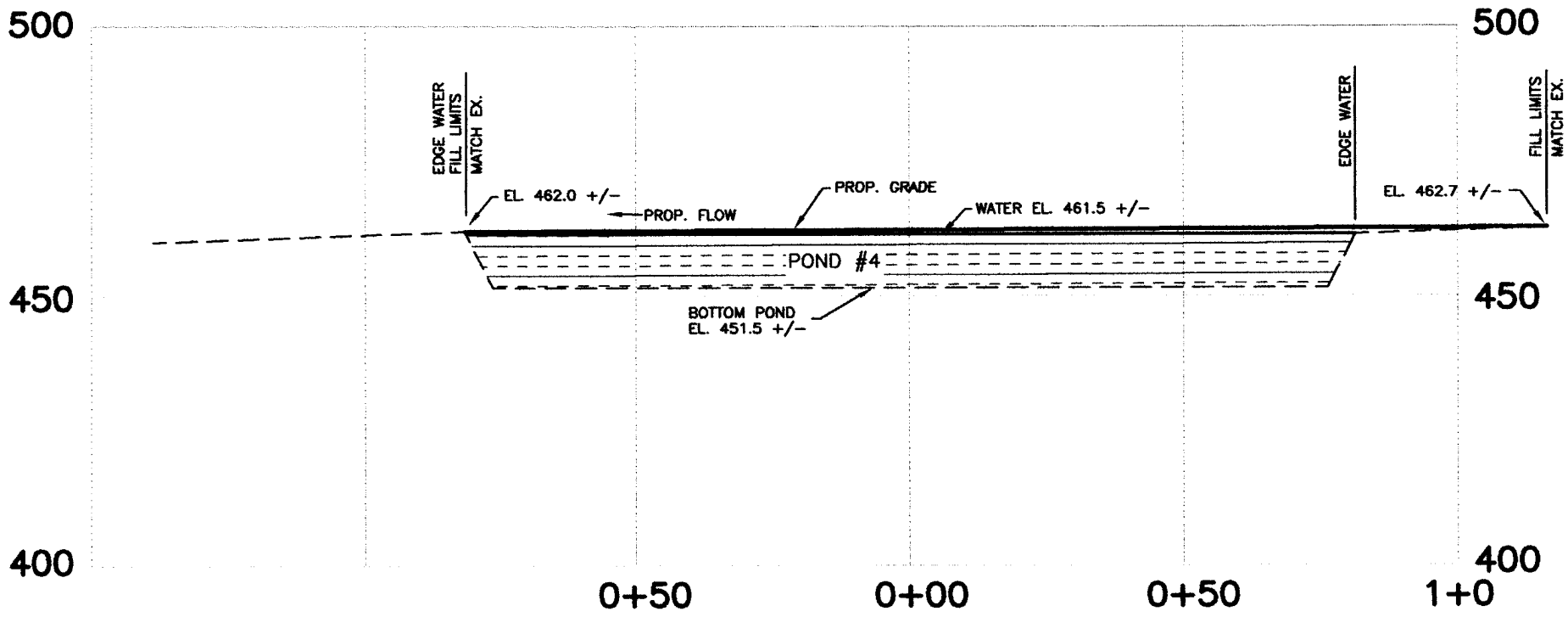


SECTION THRU POND #3
LOOKING NORTH

SCALES: 1"=30' HOR. & VERT.

GARBER – CHILTON ENGINEERS & LAND SURVEYORS, INC.
Civil – Drainage – Structural – Investigative – Land Surveying – GPS
P.O. Box 425 – La Grange, Kentucky 40031 – 502.222.9216
3010 Highway 227 North – Worthville, Kentucky 41098 – 502.732.8787

APPLICANT LUHN & OAK
BODY OF WATER KENTUCKY RIVER
COUNTY CARROLL STATE KENTUCKY RIVER MILE 0.75±
DATE 3-8-10 BY JCF SHEET ___ OF ___

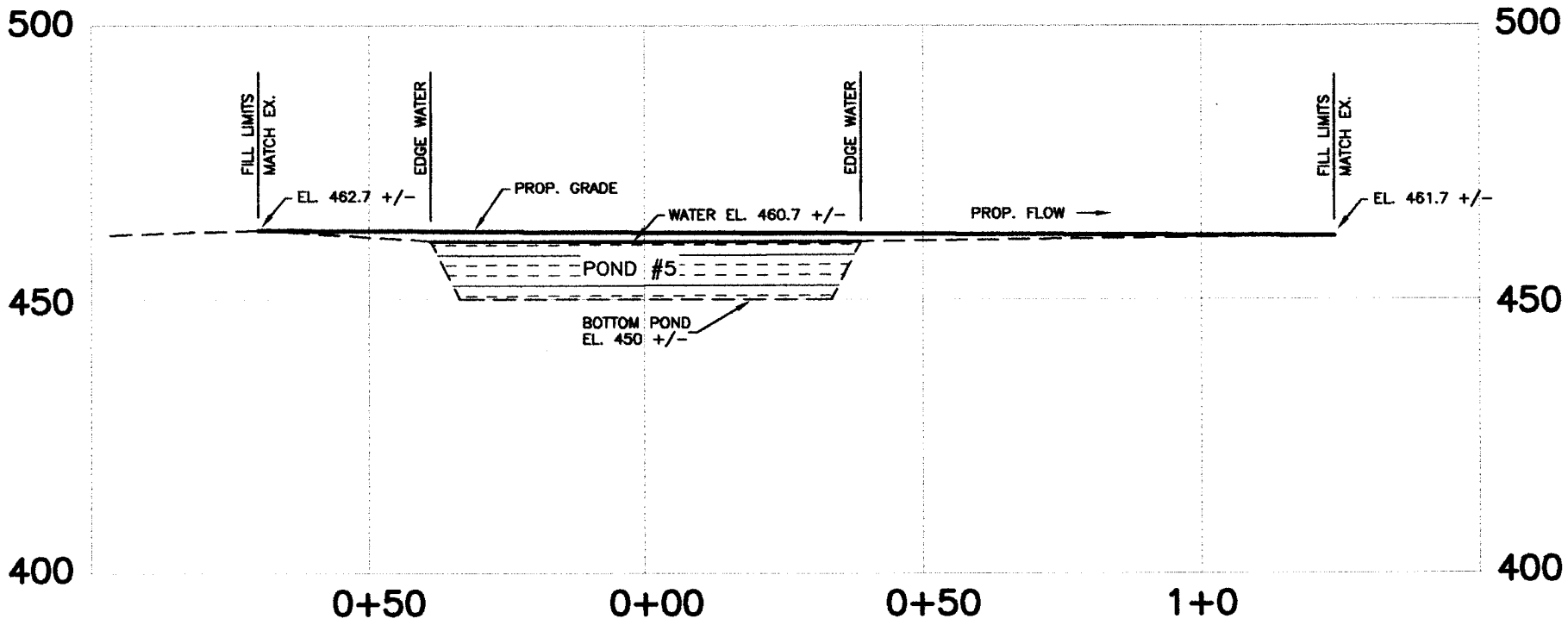


SECTION THRU POND #4
LOOKING NORTH

SCALES: 1"=30' HOR. & VERT.

GARBER - CHILTON ENGINEERS & LAND SURVEYORS, INC.
Civil - Drainage - Structural - Investigative - Land Surveying - GPS
P.O. Box 425 - La Grange, Kentucky 40031 - 502.222.9216
3010 Highway 227 North - Worthville, Kentucky 41098 - 502.732.8787

APPLICANT LUHN & OAK
BODY OF WATER KENTUCKY RIVER
COUNTY CARROLL STATE KENTUCKY RIVER MILE 0.75±
DATE 3-8-10 BY JCF SHEET ___ OF ___



SECTION THRU POND #5
LOOKING NORTH

SCALES: 1"=30' HOR. & VERT.

GARBER – CHILTON ENGINEERS & LAND SURVEYORS, INC.

Civil – Drainage – Structural – Investigative – Land Surveying – GPS

P.O. Box 425 – La Grange, Kentucky 40031 – 502.222.9216

3010 Highway 227 North – Worthville, Kentucky 41098 – 502.732.8787

APPLICANT LUHN & OAK

BODY OF WATER KENTUCKY RIVER

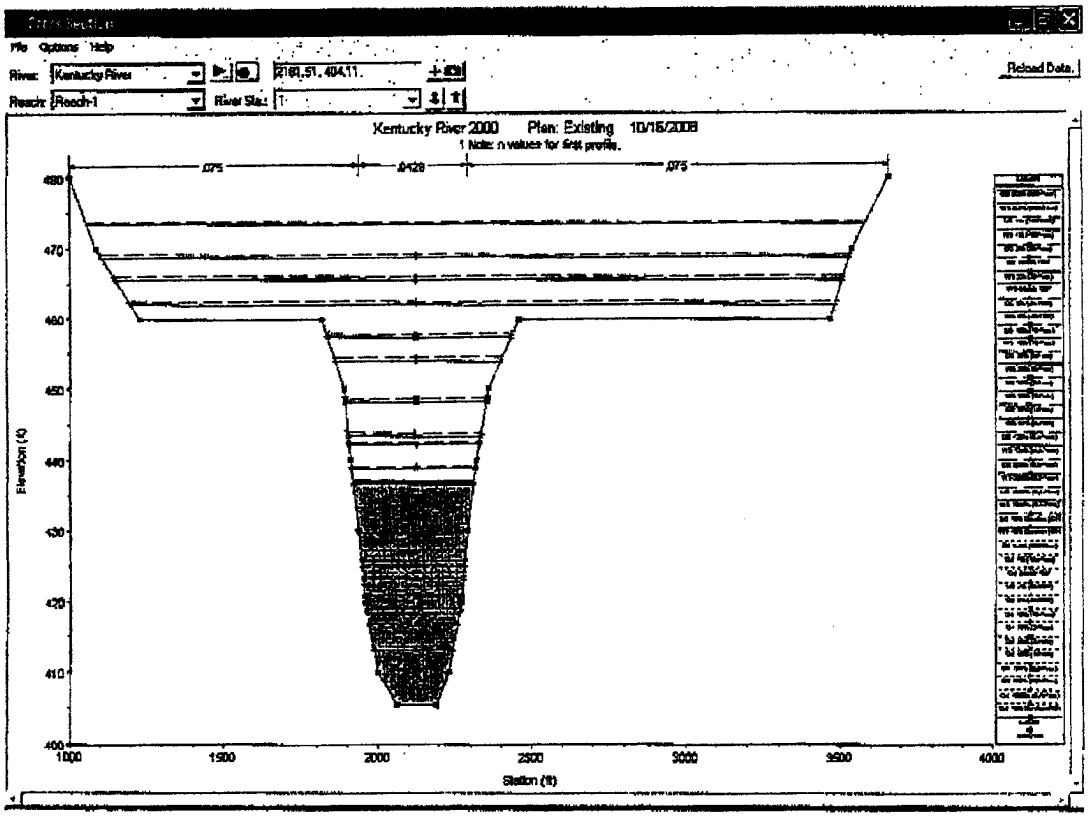
COUNTY CARROLL STATE KENTUCKY RIVER MILE 0.75±

DATE 3-8-10 BY JCF SHEET ___ OF ___

SECTION THRU KY RIVER
@ MILE PT. 1.0.

Mile 1.0 – Kentucky River

Sta	Elev
1000	480
1085	470
1230	460
1820	460
1890	450
1910	440
1940	430
1960	420
2000	410
2060	405.5
2190	405.5
2230	410
2270	420
2290	430
2320	440
2360	450
2460	460
3470	460
3540	470
3660	480



LT. BANK → RT. BANK
DOWN STREAM

kins at
28-5802

for location, vacancy & rates.

Find it in the Classifieds!

LEGALS

IANCE WILL BE HEARD FOR A SECOND BY THE CITY OF GHENT ON MARCH 9, :30 P.M. PROVIDING FOR AN ORDINANCE NG ORDINANCE §90.07 IN ITS ENTIRETY PTING NEW ORDINANCE

RDAINED by the City of Ghent, Kentucky, fol- ull public hearing before the Ghent City Com- s at a duly convened meeting and upon favor- t to repeat in its entirety the prior Ordinance lating to Keeping of Livestock in City. Prohib- replace with the following Ordinance:

HEREFORE ORDAINED by the City of Ghent, , as follows:

ER 90.07

ne purpose of this section, "LIVESTOCK" shall horses, sheep, mules, cattle, goats, pigs, don- bbits, or fowl.

ll be unlawful for any person, firm, or corporation or maintain livestock within the corporate limits ity. Penalty, see § 90.99.

ER 90.99

person who violates any provision of this chapter ich another penalty is not already otherwise pro- shall be guilty of a misdemeanor and shall be fined ore than $500 for each offense. Each day the vio- exists shall constitute a separate offense.

e above is a full copy of the Ordinance.

is Ordinance shall become effective after two (2) ngs and passage hereof and when published as red law.

, City of Ghent

CITY OF PRESTONVILLE IS ACCEPTING SEALED BIDS FOR CHAIN LINK FENCING FOR PRESTONVILLE CITY PARK. BIDS MUST BE RECEIVED BY MARCH 8, 2010. CONTACT ROBERT BARNES FOR INFORMATION, 502-732-8388.

PUBLIC NOTICE

Notice is hereby given that Luhn and Oak Construction has filed an application with the Natural Resources and Environmental Protection Cabinet to construct a non-hazardous barge unload facility on the Kentucky River. The property is located on Highway 55, approximately 2 miles south of Prestonville and 1 mile south of the intersection of Highway 55 and Mound Hill Road. Any comments or objections concerning this application shall be directed to: Kentucky Division of Water, Water Resources Branch, 200 Fair Oaks Lane, Frankfort, KY 40601, 502-564-3410.

Legal advertisements are due in our office by 9 a.m. Monday prior to the Wednesday publication.

Attract Buyers.

2-24-10

nished, newly painted. Call
-255-3272.

FOR RENT:
3/2 House, Carrollton, $750/mo. 2/1 Trailer, Carroll Co., $400/mo. Deposit required. Debbie, 859-393-6261, 502-347-5603. EHO.

FOR RENT
2BR Mobile Home in Sanders. $500/mo. + deposit + utilities.
502-347-5051

502-732-6156 for location, vacancy & rates.

SEVERAL 3 BEDROOM Properties available in Carrollton, extremely nice with hardwood floors & many upgrades. $875-$975 per month. Please call (502) 686-0720

130 Real Estate Sales

516 PARADISE ALLEY, Carrollton, KY $13,000 or best offer. Call (502) 732-0037.

$1,500 down.

11 AC Sanders Area - Partly wooded, on dead end road, ideal home site or for hunting, city water along road. $41,900, $2,000 down.

1 AC Gallatin Co.- Pasture, corner lot, close to Markland Dam, easy access to Hwy. 42 or I-71. $19,900, $1,500 down.

Check our website for more properties.
www.tri-statelandcompany.com

LEGALS

PUBLIC NOTICE
REQUEST FOR PROPOSALS
REGIONAL WORKFORCE INNOVATION PROJECT CONSULTANT

On behalf of the Northern Kentucky Workforce Investment Board, the Southwest Ohio Workforce Investment Board and the Workforce One Investment Board of Southwest Ohio, the Northern Kentucky Area Development District (NKADD) is seeking to secure the services of a professional Consultant for the purposes of coordinating a Regional Workforce Innovation Project.

The Regional Workforce Innovation Project Consultant will facilitate the program planning and implementation of local regional workforce development efforts to counteract the effects of economic shock and to prepare the workforce to succeed in the global economy. The local region is defined with the following counties:
—In Kentucky – Boone Campbell, Carroll, Gallatin, Grant, Kenton, Owen and Pendleton counties
—In Ohio – Butler, Clermont, Hamilton and Warren counties.

Funding for the contract is from a Regional Innovation Grant from the Department of Labor. Any funding awarded will be subject to the availability of federal funding granted to the NKADD for the purposes of implementing and maintaining a regional workforce investment project. Should the availability of such funding decrease following any award to a sub-recipient, the award will be revised accordingly. In addition, if awarded, the subcontractor must be willing to alter program design based on subsequent direction provided to the NKADD from either the State or the USDOL.

As of March 1, 2010, applications and detailed instructions will be available on the NKADD website at http://www.nkadd.org/Workforce/ or may be requested by calling Amie Gosser at (859)283-1885 or e-mailing her at amie.gosser@nkadd.org. Completed applications (the original and four copies) must be returned to the NKADD, ATTN: Barbara Stewart , by 9:00 a.m. on March 31, 2010.

CITY OF PRESTONVILLE IS ACCEPTING SEALED BIDS FOR CHAIN LINK FENCING FOR PRESTONVILLE CITY PARK. BIDS MUST BE RECEIVED BY MARCH 8, 2010. CONTACT ROBERT BARNES FOR INFORMATION, 502-732-8388.

PUBLIC NOTICE
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Advertise!
866-732-4237.

NOTICE OF PUBLIC HEARING

The Public Service Commission of Kentucky has issued an order on January 27, 2010 scheduling the hearing to be held on March 23, 2010 at 10:00 a.m. (Eastern Daylight time) in Hearing Room 1 of the Commission's offices located at 211 Sower Boulevard in Frankfort, Kentucky, for the purpose of cross-examining witnesses in Case No. 2009-00507 which is *An Examination of the Application of the Fuel Adjustment Clause of Kentucky Utilities Company from May 1, 2009 through October 31, 2009.*

Kentucky Utilities Company
220 West Main Street
Louisville, Kentucky 40202

s source.

OFFICE WORK IN LA GRANGE AREA
SEND RESUMES TO: ATTENTION: PERSONNEL P.O. BOX 533 BUCKNER, KY 40010-0533

HAY FOR SALE
Square bales
Alfalfa & Orchard Grass Mix grass only
$3.00 to $4.00 each
Henry County
(502)845-2260 evenings

ALFALF/ y
$5-6/bale: Deliv. Avail.
Ground Ear Corn
$137/ton bulk
Robt. Foree, New Castle
502.845 4947: 939 4607

High Quality
Orchard grass,
bales $5 roll ba
Call 502 55
Smithfield

Paying Top Prices for Standing Timber
30 Acres or More Selective Cut
WANTED
OHIO RIVER VENEER
812-583-2035

Golden Cornet Laying Hens
Doug and Susan Schlosnagle
502-461-7882
502-724-3291

For Sale
98 CX100 Case Tractor w/ cab, loader, 2800 hrs., loaded, new front tires, dual hydraulics, 540/1000 rpm.
$29,500
502-633-5838 or 502-655-0416

Cricketeer Antiques & Collectibles Show
745 Cane Run St.
Harrodsburg
March 5, 6, 7
10 a.m. - 5 p.m.
FREE ADMISSION
Many new dealers. Great food and eating area available. Lots of parking. Follow signs on U.S. 68 and U.S. 127, look for Cricketeer water tower. New dealers welcome, special rates on booth rentals. Dress warm and come see us.
CALL 859-608-3232 for more information

WOOD AUCTION CENTER LLC.
FRIDAY, MARCH 5TH • 5:30 P.M.
471 FRANKFORT ROAD (US. 60 EAST), SHELBYVILLE, KY.
FURNITURE, GLASSWARE, MISC.
TERMS: CASH or CHECK with proper ID
VIEWING: THURSDAY 5:00 PM-7:00 PM
FRIDAY 3:00 P.M. TILL SALE
OWNER/AUCTIONEER: RICKY WOOD - 35 YEARS EXP.
502-633-9597
auctionzip.com : #13653

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Your Post Frame Specialist
Custom built post frame Garages, Homes, Mini-Storage units, Agriculture Buildings, Horse Barns, Church Buildings, Commercial Structures, Workshops and Pavilions.
Blitz can help you with any building project!
**Specials start as low as $6,923.00
**Material Packages available as well
Call for a free quote or have us come help you with your plans
1-800-628-1324 or 1-502-633-1071
http://www.blitzbuilders.com

THE AUCTION BARN
5245 South Main Street, Eminence, Ky
Thursday Mar. 4th 6:00 pm
FURNITURE, COLLECTIBLES, GLASSWARE,
2 bedroom suites (dresser w mirror, chest of drawers, night

THE AUCTION BA
5245 South Main Street, Eminen
Monday Mar. 8th 6:00
CLEAN-UP AUCTI
Furniture, glassware, household, we will be clearin of misc. lots. Tons of box lots!
Visit: ***auctionzip.com#9241*** for a full list
Mike Shaw Auctioneer #
859 486 41

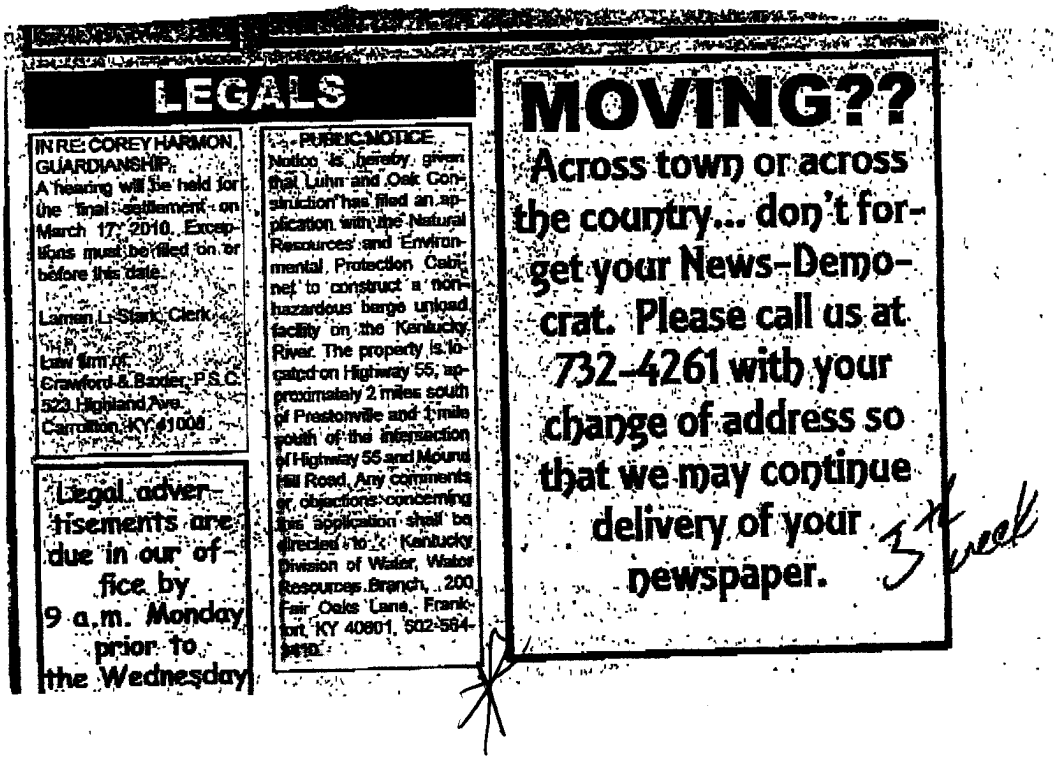
FARM CONSIGNMENT AUC
Saturday, March 6, 2010 • 10
LOCATION: Take I-71, Exit 44 to Hwy. 227 N, 1 m Rd., turn right down to Fairgrounds, behind Carrollton, KY.
Farm & Industrial Equipment
Will Receive Equipment March 1st - 5th or ea appointment. No vehicles. *No consignments acc day of sale. Concessions Available.*
NEW'S AUCTION SERV
Carrollton, KY
Auctioneer: Robert L. New—732-5958 • 502-5
E-mail: rlnew@iglou.com • www.newsauctionserv
AuctionZip.com ID#10106 and Farm World

Auction
ACB Storage
1800 Ballardsville Rd., Eminenc
March 5, 10 AM - Units to be
274, 264, 92, 260, 302, 47, 95, 46,
334, 347, 348, 110, 317, 71, 264, 128, 27
197, 199, 35, 259, 41, 301, 18, 179, 105,
291, 292, 293, 288, 245, 85, 310, 322, 33
160, 98, 322, 326, 196, 341, 283, 96, 43,
502-845-1304
Danney Chisholm, Auctioneer #

Real Estate • Day Care Inven
AUCTIO
SATURDAY, MARCH 6 • 10
Town & Country Child Care Development C
100 Loop Rd. • Fisherville,
From Louisville: Take Gene Snyder to Taylorsville F
Take Hwy 155 south 6 miles (Taylorsville Lake Rd.)
From Taylorsville: take Hwy 155 North. 7.7 miles to I
Real Estate: 5400 sq. ft building on 1.8 acre

3-3-10

3-10-10



LEGALS

IN RE: COREY HARMON, GUARDIANSHIP.
A hearing will be held for the final settlement on March 17, 2010. Exceptions must be filed on or before this date.

Lamen L. Stark, Clerk
by
Law firm of:
Crawford & Baxter, P.S.C.
523 Highland Ave.
Carrollton, KY 41008

Legal advertisements are due in our office by 9 a.m. Monday prior to the Wednesday

PUBLIC NOTICE

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MOVING??

Across town or across the country... don't forget your News-Democrat. Please call us at 732-4261 with your change of address so that we may continue delivery of your newspaper.

3rd week

PERMIT TO CONSRUCT IN A FLOOD PLAIN OR IN A STREAM AREA.

CARROLL COUNTY, KY. FLOOD PLAIN MANAGER

APPLICANT: Luhn + Oak Riverport

APPLICANTS MAILING ADDRESS: P.O. Box 481, Carrollton, Ky. 41008

ADDRESS OF SITE: 895 Hwy 55, Carrollton, Ky. 41008

LAT./LONG> 38°40'15"N 085°11'21"

DISCRIPTION OF PROJECT: Barge Unload Facility and Dry Dock

APPROVAL DATE: March 17, 2010

Mitchell Perkins

Mitchell Perkins

Carroll County Flood Plain Manager

Mitchell Perkins
Carroll County Flood Plain Manager
829 Polk St.
Carrollton, KY 41008

MITCHELL PERKINS

SOLID WASTE MANAGER
FLOOD PLAIN MANAGER
DEPUTY EMERGENCY MANAGER

829 POLK STREET
CARROLLTON, KY 41098
(502) 732-7123
FAX (502) 732-7124
E-MAIL swc@ccem.net

March 2, 2010

To: Luhn & Oak Riverport
P.O. Box 481
Carrollton, KY. 41008

Re: Construction of a barge unload facility and dry dock.

After review of your plans I see no negative impact as a result of this proposed facility.

The site: 38deg40min15secN/085deg11min21secW is adjacent to a recently approved (2009) site of Ohio Valley Asphalt Storage Tanks.

Across the river from your proposed site is the location of the old Bristol Steel Fabrication Plant and Docking area(out of service and dismantled now).

This Site at the confluence of the Kentucky and Ohio Rivers is approved for your project.
Any questions please call or email me.

Mitchell Perkins
Carroll County Flood Plain Manager

WETLAND INVESTIGATION
LUHN AND OAK RIVERPORT
CARROLLTON, KENTUCKY

FOR

GARBER - CHILTON ENGINEERS
& LAND SURVEYORS, INC

BY

HIGHVIEW ENGINEERING, INC.
4610 PORTICO COURT
LOUISVILLE KENTUCKY 40299

DATED
March 18, 2010

1.0 INTRODUCTION

Highview Engineering, Inc. (Highview) was requested by Garber-Chilton Engineers and Land Surveyors to perform a wetland investigation for the site development for a tract of land on the Kentucky River mile left bank, in Carroll County Kentucky. Highview performed an onsite investigation on February 6, 2020. The investigation was conducted by Darroll Hawkins, PE and Keera Lowe.

2.0 PROPOSED PROJECT

2.1 LOCATION

The project is located between Highway 55 on the west side and the Kentucky River on the east. The site was previously used as pay lakes for fishing.

2.2 PROPOSED DEVELOPMENT

The proposed project is a river port facility. Modifications are proposed for the bank of the Kentucky River. The rest of the site is to be used for material storage.

3.0 EXISTING SITE CONDITIONS

3.1 HYDROLOGY

The west half of the property was developed into a recreational area consisting of five dug ponds. Thee purpose of the ponds was to pay for fishing. A small building, picnic tables, small recreational features were scattered around the ponds.

The ponds were dug in the floodplain. They were fed by sheet flow run-off across the floodplain. A small stream (probably ditched based on its straight alignment) from the Highway to the river runs on the north side of the property. Flood deposited silt has raised the floodplain close to the river. Consequently, the sheet flow generally runs from south to north in the floodplain. The drainage area includes properties to the south of the project site. A ditch in the eastern third of the property drains to the ditched stream on the north.

The south to north sheet flow does tend to aggregate into broad swales. These swales are not detectable by land form features. The swales are not sloped for drainage and do retain some standing water usually less than 1" after rainfall and snow melt events.

The ditch on the north has also deposited silt filling the swales and blocking some discharges from the site. The standing water infiltrates into the ground and probably helps to recharge the dug ponds.

The precipitation data is adequate to maintain water levels in the ponds. Table 1 shows the precipitation data for the area.

TABLE 1
PRECIPITATION DATA

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	Average precipitation											
43.0	2.7	3	4.6	4.1	4.5	3.7	4.2	3.6	3.0	2.9	3.4	3.4
	Average snowfall											
11.3	5.0	3.9	2.0	0.2	---	---	---	---	---	---	0.3	1.3

The ponds and swale system are adequate to provide the hydrology from rainfall and subsequent surface run-off for servicing a wetland ecosystem.

3.2 VEGETATION DATA

For the most part the project site is a mown field. Trees line the bank of the Kentucky River. The lower portion of the bank has no vegetation. The bank is steep with no shelving or silt/sand bars. A few trees are scattered in the north west section of the project site.

Due to the time of year no definitive plant identification was possible. The existent foliage was dead or dormant. No tree identification was attempted. The area was mown in the fall to height of 3 inches or less. Based on the stem remains the area is covered in a round stem grass typical of upland species.

The north west pond was the only one of the five with vegetation on the bank or visible in the water. The pond was ringed with cattails and a substantial portion of the water surface had floating or visible subsurface vegetation.

The stems in the standing water portions of the swales were examined and found to be consistent with the stems in the more elevated portions of the property. Specifically no triangular stemmed species indicative of hydrophyte were found. This was also true of the grasses at the water's edge in the north west pond. It is significant that these grasses grew to the edge, but not into the pond.

3.3 SOILS

There are six soil types found on the property: Lawrence, Nolin, Robertsville, Otwell, Woolper, and Zipp. Figure 1 shows the soils and the onsite ponds. Robertsville is the only hydric soil. However, it is only considered hydric when in saturated conditions. The Lawrence soil has hydric inclusions discerned by changes in the soil color and texture; or by mottling. See Table 2 for their characteristics.

The soils of the ponds without vegetation were not examined. Only one examination of the Lawrence and Robertsville soils in a higher elevation area of each was done to confirm soil type. The swale areas were all in the Lawrence soil area. There were three areas in the swale with standing water. All soil examinations were done using a 8" blade spade to 14" deep. A soil probe was used for deeper examinations.

The first swale area examined was the area south of the south-east pond. The dead and dormant vegetation had a dark brown or black coloring distinctive from the tan or cream coloring of the vegetation at higher elevations which dominate the site. The depth of water was less than¼" over an area 150' west to east and 75" north to south. The soil in the center was a 10 YR 5/6. Water did not accumulate in the hole. The soil was moist, but water was not squeezed out. The soil was somewhat plastic allowing a ribbon of almost ½" before breaking. There was no mottling.

The second swale area examined was a 40' by 80' area between the north-east pond and the south-east pond. The dead and dormant vegetation had a dark brown or black coloring distinctive from the tan or cream coloring of the vegetation at higher elevations which dominate the site. The water was about ½" deep and the surface was squishy. The surface water entering the hole was absorbed by the soil in the hole walls. The soil was moist, but water was not squeezed out. No water accumulated in the hole. The soil in the center was a 10 YR 5/6. The soil was somewhat plastic allowing a ribbon of almost ½" before breaking. There was no mottling.

The third swale area examined was a crescent shaped area just north east of the north-west pond. The dead and dormant vegetation had a dark brown or black coloring distinctive from the tan or cream coloring of the vegetation at higher elevations which dominate the site. The water was about 1¼" deep and the surface was squishy. The surface water entering the hole was absorbed by the soil in the hole walls. Water less than 1" accumulated in the hole during the period while the soil was being examined. The soil was 10 YR 5/3 with distinct mottling 10 R 5/8 and had oxidized root zones. The soil was examined at both ends of the crescent with the same results. The soil was plastic easily producing a ribbon of over one inch. The soil was nearly saturated and produced water drips when squeezed.

The north west pond was examined. Soil samples at 12" and 6" from the ponds water surface were 10 YR 4/3 with no mottling, moist soil, plasticity ribbon of less than ½", and no drips from squeezing. The sample at the water line was 10 YR 4/1 with no mottling, saturated, plasticity ribbon over 1", and dripping water without squeezing.

4.0 FINDINGS

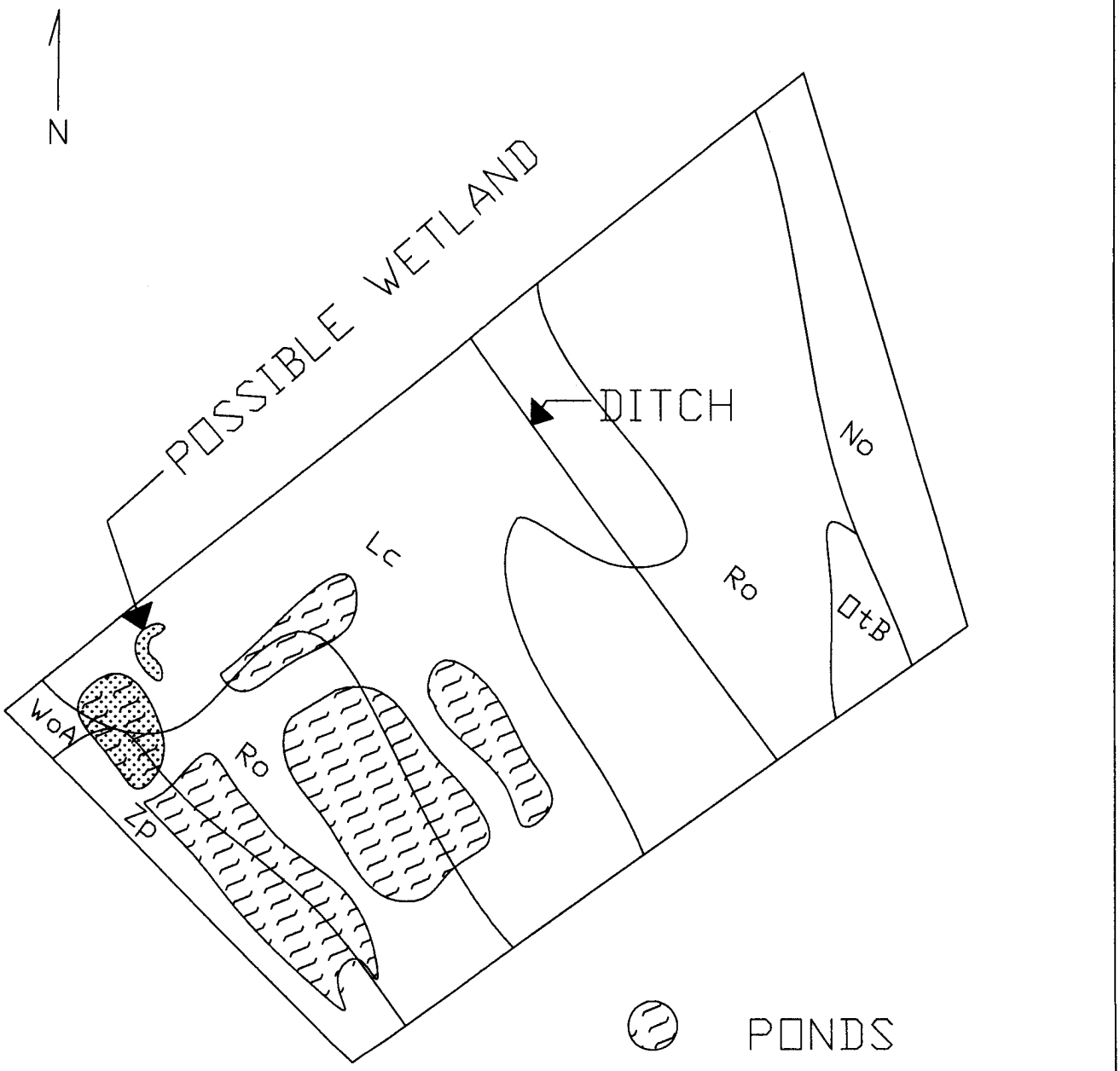
There are two possible wetlands on the site. The other areas all fail at least one of the three parameters necessary to be a wetland.

The first is the north-west pond. It is fed by surface runoff and satisfies the hydrology criteria. The cattails around the edge and the vegetation in the pond satisfy the vegetative criteria. The soil characteristics satisfy the hydric soil criteria.

The crescent shaped area is fed by surface runoff and satisfies the hydrology criteria. The soil characteristics satisfy the hydric soil criteria. The vegetation is unknown as none could be identified. Based on the soil and saturated conditions this area should be considered a wetland. An investigation near the end of May or in early June when the vegetation is in vibrant growth condition would determine the vegetation criteria status. If a re-examination is contemplated, the area should not be mown.

Table 2
Soil Description

Soil Symbol		Lc	No	Ro	OtB	Zp	WoA
Name		Lawrence	Nolin	Robertsville	Otwell	Zipp	Woolper
Soil Family		Robertsville	Melvin	Robertsville	Otwell	Robertsville	Woolper
Hydric status		Inclusions	NA	Hydric if saturated	NA	NA	NA
taxonomy		silt loam	silt loam	silt loam	silt loam	silty clay loam	silty clay loam
Drainage character		poorly	well	poorly	moderately well	well	well
A horizon	depth	0 - 6"	0 - 9"	1" - 6"	0 - 8"	0 - 8"	0 - 8"
	color	10 YR 4/2, 10 YR 4/3	2.5 YR 4/2, 10 YR 4/3	10 YR 3/2	10 YR 4/3	10 YR 3/2	10 YR 3/2
B1 horizon	depth	6' - 12"	9" - 30"	6" - 13"	8" - 15"	8" - 24"	8" - 33"
	color	10 YR 5/3, 10 YR 5/4	2.5 YR 4/4, 10 YR 4/3	2.5 YR 7/2	7.5 YR 5/6	10 YR 3/2	10 YR 3/2
B2 horizon	depth	12" - 34"	30" - 50"	13" - 36"	15" -34"	24" - 40"	33" - 48"
	color	10 YR 5/6, 10 YR 6/3	10 YR 4/3	2.5 YR 6/2 2.5 YR 7/2	10 YR 5/6, 2.5 YR 6/4	10 YR 3/2	10 YR 3/2



MAR 17, 2010 DLH	FIGURE 1 LUHN & OAK RIVERPORT SITE CONDITIONS CARROLLTON, KY	HIGHVIEW ENGINEERING, INC. 4610 PORTICO CT. LOUISVILLE KY 40299 502 266-7367 E-mail: dlh4610@aol.com

Darroll Hawkins, Ph.D., PE
Civil/Environmental Engineer

EDUCATION

B.L.S. Environmental Studies, University of Louisville (U of L), 1980
M.S. Community Development, (U of L), 1983
Ph.D. Urban Affairs Infrastructure, (U of L),1993

PROFESSIONAL REGISTRATIONS

Kentucky Professional Engr. No.12803
Virginia Professional Engr. No. 023103
West Virginia Professional Engr. No. 11498-R
Pennsylvania Professional Engr. No. 042769-R
Indiana Professional Engr. No. 920195
Wetland Specialist - Delineator No. 1

PROFESSIONAL MEMBERSHIPS

Air and Waste Management Association (AWMA), Kentucky Chapter
American Society of Civil Engineers
Inland Rivers Ports and Terminals
National Wetlands Specialist Registration Board (NWSRB)
Propeller Club - Port of Louisville
American Planning Association

CURRENT ACTIVITIES

Treasurer, Kentucky Chapter AWMA

PUBLICATIONS

- The Impact of Urban Wetlands as a Passive Service Provider for Municipal Areas
- Editor for Industrial manuals: Storm Water Monitoring and Storm Water Pollution Prevention Planning

PROFESSIONAL EXPERIENCE

With Highview Engineering does environmental reports and investigations that include wetland delineation, appraisals, submission of applications for permits involving wetlands, and wetland mitigation design.

With the U.S. Army Corps of Engineers (COE) Louisville District, Dr. Hawkins managed the regulatory North Section, Section 10, and Section 404 permitting activities. His principle responsibilities with COE included review work completed by staff to ensure technical accuracy and to provide guidance on cases involving policy implementation. The most demanding administrative action was wetland policy. His responsibilities also included recruiting and selecting staff. He served as the Corps' regulatory program spokesman in Indiana and Ohio, giving presentations to environmental groups and state agencies and seminars for engineers and consulting firms. He also worked in the floodplain section and cost estimating section with the Corps of Engineers.

In private practice, Dr. Hawkins has developed seminars of interest to industrial, commercial, and municipal activities. He assists clients in selecting engineering and analytical services appropriate to their business. He performed and supervised engineering design work, environmental reports preparation, and the preparation of environmental permitting documents. Projects under his responsibility include industrial pretreatment design, lead investigation, environmental site audits, preparation of storm water permit applications, wetland determinations, air permits and reports, and design of pretreatment for storm water.

7922 Windgate Drive
Louisville, KY 40291

Phone (502)619-4789
E-mail lowekey03@excite.com

Kathleen Keera Lowe

Education

2005 - 2007	Jefferson Community and Technical College	
2007 - 2008	Murray State University	Murray, KY
2009 – present	University of Louisville Undergraduate Biology Major	Louisville, KY

Awards received

U.S. Achievement Academy National Honor Roll Award	2005
President's Award for Educational Excellence	2005
Bellarmine University Institutional Award of Achievement	2005
Transylvania University Founder's Scholar	2005
Dean's List at Jefferson Community College	2005 - 2007

Work experience

May 2002 to present	Various	Childcare
April - October 2003	Roby's Cabbage Patch	Stock and Sales
2001 - present	Lawn and Garden Care	landscaper, planter
Sept. 2004 - March 2005	Hershey's Ice Cream	Stock and Sales
June 2005 - March 2007	Country Animal Hospital	Kennel Care
Sept. 2006 – Aug 2007	Various	Tutoring
June 12 - Aug. 4, 2007	Salvation Army Camp	Camp Counselor
September 2008 – May 2009	Glamour Shots	Secretary
October 2008 – March 2009	UPS	Package handler

Extracurricular activities

Dec. 12, 2004	Genetics Conference
July 2004	National Youth Leadership Forum on Medicine (10 - day program in Washington D.C.)